

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 10-1571

IN RE: TORMU E. PRALL,
Petitioner

On Petition for a Writ of Mandamus from the
United States District Court for the
District of New Jersey
(Related to D.N.J. Crim. No. 08-mj-01127)

Submitted Under Rule 21, Fed. R. App. P.
March 31, 2010
Before: SCIRICA, Chief Judge, WEIS and GARTH, Circuit Judges.

(Opinion filed; April 21, 2010)

OPINION

PER CURIAM.

Tormu E. Prall, an inmate in the State of New Jersey, seeks a writ of
mandamus that would compel the United States District Court for the District of New
Jersey to

declare and take notice under F.R.E. 201 that: (a) Counts I
and II prohibit application of [18 U.S.C.] § 1073 to the
plaintiff; (b) no arrest warrant exists against the plaintiff in

Morrisville, Pennsylvania ...; and (c) police in Massachusetts and Rhode Island falsely charged plaintiff with crimes once they learned he passed through those states.

Mandamus Pet. at Prayer for Relief.

Prall was charged in the District of New Jersey by Criminal Complaint in August 2008 with violating 18 U.S.C. § 1073 by traveling across state lines to avoid prosecution in Mercer County, New Jersey, on a charge of homicide. (See D.N.J. Crim. No. 08-mj-01127.) However, on September 24, 2008, the District Court granted the government's motion to dismiss the Criminal Complaint and closed the case. (See id. at docket # 3.)

“Before a writ of mandamus may issue, a party must establish that (1) no other adequate means exist to attain the relief he desires, (2) the party's right to issuance of the writ is clear and indisputable, and (3) the writ is appropriate under the circumstances.” Hollingsworth v. Perry, 130 S. Ct. 705, 710 (2010) (per curiam) (quotation marks and punctuation omitted).

Because the criminal proceeding in the District of New Jersey has been dismissed, there is no basis for Prall's mandamus request. We will deny the petition.